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1103326-0546

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

: Lundberg et al.

: 09/646,852

MAR 0 5 2004

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Applicants

Scrial No.

: September 22, 2000

For

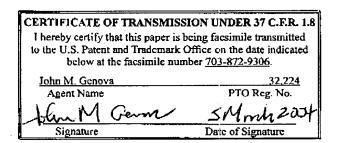
: NEW FORMULATION

Examiner

: DiNola-Baron

Group Art Unit

: 1615



Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 ATTENTION: Examiner DiNola-Baron

DATE: 5 March 2004 NUMBER OF PAGES: 3

FAX NUMBER: 703-872-9306

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. §1.191)

Sir:

Applicants hereby appeal to the Board from the decision of the Primary Examiner, mailed September 8, 2004, of claims 1, 3-20 and 23-27. The item(s) below are appropriate:

1. STATUS OF APPLICANTS

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b), the fee for filing the Notice of Appeal is \$330.00.

3.	EXTENSION OF TERM				
	The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.				
	(a) Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a)(1-4)) for the total number of months checked below:				
	Extension (months) Fee for other than small entity				
	☐ one month \$110.00				
	two months \$420.00				
	three months \$950.00				
	☐ four months \$1,480.00				
	Fee \$ 950.00				
	If an additional extension of time is required, please consider this a petition therefor.				
	An extension for months has already been secured by the Amendment after Final, filed The fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.				
	Extension fee due with this request \$950.00				
	or or				
	(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.				
4. TO	TAL FEE DUE				
	The total fee due is:				
	Notice of Appeal fee \$ 330.00				
	Extension fee (if any) \$ 950.00				
	TOTAL FEE DUE \$ 1280.00				
5. FE	E PAYMENT				
	☐ Attached is a check in the sum of \$				
	Charge Account No. 23-1703 the sum of \$ 1280.00.				

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If any additional extension and/or fee is required, charge Account No. 23-1703.

AND/OR

☐ If any additional fee for claims is required, charge Account No. 23-1703.

Dated: March 5, 2004

Respectfully submitted,

John M. Genova Reg. No. 32,224

Attorney for Applicants

Customer No. 007470 (212) 819-8832